

1-1 By: Bell (Senate Sponsor - Van de Putte) H.B. No. 1550
1-2 (In the Senate - Received from the House April 15, 2013;
1-3 April 16, 2013, read first time and referred to Committee on
1-4 Economic Development; April 29, 2013, reported favorably by the
1-5 following vote: Yeas 7, Nays 0; April 29, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Deuell	X		
1-9	Hancock	X		
1-10	Birdwell	X		
1-11	Davis	X		
1-12	Eltife	X		
1-13	Fraser	X		
1-14	Watson	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to unemployment compensation chargebacks regarding
1-18 certain persons who are involuntarily separated from employment.
1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-20 SECTION 1. Section 204.022(a), Labor Code, is amended to
1-21 read as follows:
1-22 (a) Benefits computed on benefit wage credits of an employee
1-23 or former employee may not be charged to the account of an employer
1-24 if the employee's last separation from the employer's employment
1-25 before the employee's benefit year:
1-26 (1) was required by a federal statute;
1-27 (2) was required by a statute of this state or an
1-28 ordinance of a municipality of this state;
1-29 (3) would have disqualified the employee under Section
1-30 207.044, 207.045, 207.051, or 207.053 if the employment had been
1-31 the employee's last work;
1-32 (4) imposes a disqualification under Section 207.044,
1-33 207.045, 207.051, or 207.053;
1-34 (5) was caused by a medically verifiable illness of
1-35 the employee or the employee's minor child;
1-36 (6) was based on a natural disaster that results in a
1-37 disaster declaration by the president of the United States under
1-38 the Robert T. Stafford Disaster Relief and Emergency Assistance Act
1-39 (42 U.S.C. Section 5121 et seq.), if the employee would have been
1-40 entitled to unemployment assistance benefits under Section 410 of
1-41 that act (42 U.S.C. Section 5177) had the employee not received
1-42 state unemployment compensation benefits;
1-43 (7) was caused by a natural disaster, fire, flood, or
1-44 explosion that causes employees to be separated from one employer's
1-45 employment;
1-46 (8) was based on a disaster that results in a disaster
1-47 declaration by the governor under Section 418.014, Government Code;
1-48 (9) resulted from the employee's resigning from
1-49 partial employment to accept other employment that the employee
1-50 reasonably believed would increase the employee's weekly wage;
1-51 (10) was caused by the employer being called to active
1-52 military service in any branch of the United States armed forces on
1-53 or after January 1, 2003;
1-54 (11) resulted from the employee leaving the employee's
1-55 workplace to protect the employee from family violence or stalking
1-56 as evidenced by:
1-57 (A) an active or recently issued protective order
1-58 documenting family violence against, or the stalking of, the
1-59 employee or the potential for family violence against, or the
1-60 stalking of, the employee;
1-61 (B) a police record documenting family violence

against, or the stalking of, the employee; or
(C) a physician's statement or other medical documentation that describes the family violence against the employee that:

(i) is recorded in any form or medium that identifies the employee as the patient; and

(ii) relates to the history, diagnosis, treatment, or prognosis of the patient;

(12) resulted from a move from the area of the employee's employment that:

(A) was made with the employee's spouse who is a member of the armed forces of the United States; and

(B) resulted from the spouse's permanent change of station of longer than 120 days or a tour of duty of longer than one year;

(13) was caused by the employee being unable to perform the work as a result of a disability for which the employee is receiving disability insurance benefits under 42 U.S.C. Section 423;

(14) resulted from the employee leaving the employee's workplace to care for the employee's terminally ill spouse as evidenced by a physician's statement or other medical documentation, but only if no reasonable, alternative care was available; ~~or~~

(15) was caused by the employer's reinstatement of a qualified uniformed service member with reemployment rights and benefits and other employment benefits in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (38 U.S.C. Section 4301 et seq.); or

(16) was due to a reason that:

(A) constitutes an involuntary separation under Section 207.046(a)(1); and

(B) does not constitute good cause connected with the employee's work under Section 207.045 for the employee to voluntarily leave the employment.

SECTION 2. The change in law made by this Act applies only to a claim for unemployment compensation benefits filed with the Texas Workforce Commission on or after the effective date of this Act. A claim filed before the effective date of this Act is governed by the law in effect on the date the claim was filed, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2013.

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